

WC 06-68

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAR 16 2006

In the Matter of

Federal Communications Commission
Office of Secretary

Request of Limited Modification of
LATA Boundaries to Provide ELCS
Between the Talco Exchange
and the Paris Exchange.

File No.

PETITION AT&T INC FOR MODIFICATION
OF A LATA BOUNDARY IN TEXAS

I. INTRODUCTION

AT&T Inc., on behalf of Southwestern Bell Telephone, L.P. d/b/a AT&T Texas ("AT&T"), pursuant to Section 3(25) of the Communications Act of 1934, as amended,¹ and in accordance with the guidelines established in the Commission's Memorandum Opinion and Order (MO&O) released July 15, 1997 in CC Docket No. 96-159,² hereby submits an application for a limited modification of LATA boundaries to provide Expanded Local Calling Service ("ELCS") between the Talco and Paris exchanges in Texas.

II. SUPPORTING INFORMATION

As required by paragraph 23 of the aforementioned MO&O, AT&T provides the following information in support of its application:

1. Type of service: Flat-rate, non-optional Expanded Local Calling Service (ELCS);
2. Direction of service: Two-way;
3. Exchanges involved: Talco in the Longview LATA and Paris in the Dallas LATA;

¹ The Communications Act of 1934, as amended, 47 U.S.C. *et al.*

² *Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, Memorandum Opinion and Order, CC Docket No. 96-159, 12 FCC Rcd 10646 (1997).

4. Name of carriers: Peoples Telephone Cooperative, Inc., serves the Talco exchange and AT&T serves the Paris exchange;
5. State commission approval(s): See Attachment A;
6. Number of access lines or customers:
The Talco exchange has 565 access lines, and the Paris exchange has 25,326 access lines;
7. Usage data: Usage data is not available to AT&T. AT&T does not currently carry traffic across LATA boundaries;
8. Poll results: Percentage of Talco customers returning ballots who voted in favor of ELCS to Paris: 88.39. Where AT&T is the petitioning exchange, there is no proposed rate increase. Where AT&T is not the petitioning exchange, AT&T does not have information as to any proposed rate increase.
9. Community of interest statement: The Public Utility Commission of Texas includes a Community of Interest Finding in their Order(s). See Attachment A.
10. Map: See Attachment B; and,
11. Other pertinent information: None

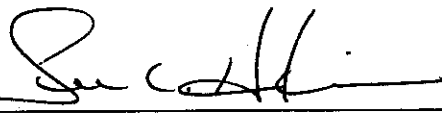
III. *PRIMA FACIE* SHOWING

AT&T believes that it has made a *prima facie* case supporting grant of the proposed modification because the instant ELCS petition (1) has been approved by the state commission; (2) proposes only traditional local service (i.e., flat-rate, non-optional ELCS); (3) indicates that the state commission found a sufficient community of interest to warrant such service; (4) documents this community of interest through such evidence as poll results and descriptions of the communities involved; and, (5) involves a limited number of customers or access lines.

IV. CONCLUSION

Wherefore, AT&T requests that the Commission approve its application for a limited modification of LATA boundaries to provide ELCS between the Talco exchange and the Paris exchange.

Respectfully submitted,
SOUTHWESTERN BELL TELEPHONE, L.P. D/B/A
AT&T TEXAS

By  _____

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March 16, 2006

Attachment A

DOCKET NO. 31950

PETITION FOR EXPANDED LOCAL	§	PUBLIC UTILITY COMMISSION
CALLING SERVICE FROM THE TALCO	§	
EXCHANGE TO THE EXCHANGE OF	§	OF TEXAS
PARIS	§	

INTERIM ORDER

Findings of Fact

1. On June 7, 2005, subscribers of the Talco Exchange filed a petition for Expanded Local Calling Service (ELCS) requesting non-optional, two-way, flat rate calling to the exchange of Paris.
2. The processes for petitioning and balloting included notice that if service to the Paris Exchange is approved by ballot, an additional monthly fee of up to \$3.50 per residential line and \$7.00 per business line on a non-optional basis would apply.
3. The Talco Exchange is in the Longview Local Access and Transport Area (LATA) and is served by Peoples Telephone Cooperative, Inc. (Peoples). The petitioned exchange of Paris is in the Dallas LATA and is served by Southwestern Bell Telephone Company d/b/a SBC Texas (SBC).
4. An affirmative vote of 88.39 percent of Talco Exchange subscribers responding to the ballot favored expanding the local calling scope to include the Paris Exchange.
5. On July 15, 1997, the Federal Communications Commission (FCC) issued an order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), providing a procedure for requesting a limited LATA boundary modification.

6. Utilizing vertical and horizontal (V&H) geographic coordinates of the central switching offices pursuant to P.U.C. SUBST. R. 26.219(c)(3)(A), the central office of the petitioned exchange of Paris is 33.01 miles from the petitioning exchange and the central office.
7. In addition to satisfying the geographic requirement of the Texas Public Utility Commission rules that the central switching office for a petitioned exchange be within 50 miles of the petitioning exchange, statements attesting to the existence of a community of interest between the petitioning and petitioned exchange were filed on July 21, 2005, for the petitioned exchange of Paris.
8. Talco residents rely on services provided by doctors, hospitals, dentists, and financial planners located in the Paris exchange. Furthermore, Talco residents do business with banks, attorneys, go to church, and shop for groceries, personal, business or farm items in stores, as well as work for companies and businesses located in Paris.
9. Based on the statement referenced in Finding of Fact No. 8, there is a community of interest between the petitioning Talco Exchange and the petitioned exchange of Paris.

Ordering Paragraphs

In accordance with the findings of fact, the Commission issues the following Interim Order:

1. Petitioners from the Talco Exchange have shown a community of interest with the exchange of Paris.
2. SBC is directed to file a request for a limited modification of the LATA boundary in accordance with the procedures outlined in the FCC order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), ¶¶ 23 & 24 by March 31, 2006.

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INTERIM ORDER

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3. Within ten (10) days of the receipt of an Order or Notice from the FCC relating to this petition, SBC is directed to file such Order or Notice in this docket.

SIGNED AT AUSTIN, TEXAS the 1st day of February 2006.

PUBLIC UTILITY COMMISSION OF TEXAS



IRENE MONTELONGO
ADMINISTRATIVE LAW JUDGE

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Attachment B



Scale:
1 inch = approx. 11 miles

